

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of:	Aronson and Hosking	Confirmation No.:	To be assigned
Serial No.:	To be assigned	Art Unit:	To be assigned
Filed:	Herewith	Examiner:	To be assigned
For:	SYSTEM AND METHOD FOR PROTECTING EYE SAFETY DURING OPERATION OF A FIBER OPTIC TRANSCEIVER	Attorney Docket No.:	9775-0197-999

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure provisions of 37 C.F.R. §1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the application.

1. Enclosures accompanying this Information Disclosure Statement are:
  - 1a. ☒ A list of all patents, publications, applications, or other information submitted for consideration by the office.
  - 1b. A legible copy of :
    - ☐ Each U.S. patent application publication and U.S. and foreign patent;
    - ☐ Each publication or that portion which caused it to be listed on the PTO-1449;
    - ☐ For each cited pending U.S. application, the application specification including the claims, and any drawing of the application, or portion of the application which caused it to be listed on the PTO-1449 including any claims directed to that portion;
    - ☐ all other information or portion which caused it to be listed on the PTO-1449.
  - 1c. ☐ An English language copy of search report(s) from a counterpart foreign application or PCT International Search Report.
  - 1d. ☐ Explanations of relevancy (ATTACHMENT 1(d), hereto) or English language abstracts of the non-English language publications.
2. ☒ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(b):
  - ☐ Within three months of the filing date of a national application other than a continued prosecution application under §1.53(d);

☐ Within three months of the date of entry of the national stage as set forth in §1.491 in an international application;

☒ Before the mailing of the first Office action on the merits;

☐ Before the mailing of a first Office action after the filing of a request for continued examination under §1.114.

3. ☐ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(c) after the period specified in 37 C.F.R. §1.97(b), but before the mailing date of any of a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311 or an action that otherwise closes prosecution in the application.

*(Check either Item 3a or 3b)*

3a. ☐ The Certification Statement in Item 5 below is applicable. Accordingly, no fee is required.

3b. ☐ The \$180.00 fee set forth in 37 C.F.R. §1.17(p) in accordance with 37 C.F.R. §1.97(c) is:

☐ enclosed

☐ to be charged to Pennie & Edmonds LLP Deposit Account No. 16-1150.

*(Item 3b to be checked if any reference known for more than 3 months)*

4. ☐ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(d) after the period specified in 37 C.F.R. §1.97(c), but on or before the date of payment of the issue fee.

The \$180.00 fee set forth in 37 C.F.R. §1.17(p) is:

☐ enclosed.

☐ to be charged to Pennie & Edmonds LLP Deposit Account No. 16-1150.

The Certification Statement in Item 5 below is applicable.

5. ☐ Certification Statement (applicable if Item 3a or Item 4 is checked)

*(Check either Item 5a or 5b)*

5a. ☐ In accordance with 37 C.F.R. §1.97(e)(1), it is certified that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

5b. ☐ In accordance with 37 C.F.R. §1.97(e)(2), it is certified that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was known by any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.


6. ☒ This application is a continuation application under 37 C.F.R. §1.60 or §1.53(b) or (d).

*(Check appropriate Items 6a, 6b and/or 6c)*

- 6a. ☐ A Petition to Withdraw from issue under 37 C.F.R. §1.313(b)(5) is concurrently filed herewith.
- 6b. ☒ Copies of publications listed on Form PTO-1449 from prior application Serial No. 10/266,869, filed on October 8, 2002, of which this application claims priority under 35 U.S.C. §120, are not being submitted pursuant to 37 C.F.R. §1.98(d).
- 6c. ☐ Copies of the publications listed on Form PTO-1449 were not previously cited in prior application Serial No. , filed on , and are provided herewith.
7. ☐ This is a Supplemental Information Disclosure Statement. (Check Item 7a)
- 7a. ☐ This Supplemental Information Disclosure Statement under 37 C.F.R. §1.97(f) supplements the Information Disclosure Statement filed on . A bona fide attempt was made to comply with 37 C.F.R. §1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental Information Disclosure Statement can be considered as if properly filed on .
8. ☐ In accordance with 37 C.F.R. §1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:
- ( Check Item 8a, 8b, or 8c)
- 8a. ☐ satisfied because all non-English language publications were cited on the enclosed English language copy of the PCT International Search Report or the search report from a counterpart foreign application indicating the degree of relevance found by the foreign office.
- 8b. ☐ set forth in the application.
- 8c. ☐ enclosed as an attachment hereto.
9. ☒ The Commissioner is authorized to charge any additional fee required or credit any overpayment for this Information Disclosure Statement and/or Petition to Pennie & Edmonds LLP Deposit Account No. 16-1150.
10. ☒ No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than a search report of a foreign counterpart application or PCT International Search Report if submitted herewith). 37 C.F.R. §§1.97(g) and (h).

Respectfully submitted,

Date: September 4, 2003

  
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<b>LIST OF REFERENCES CITED BY APPLICANT</b> (Use several sheets if necessary)	ATTY DOCKET NO. <b>9775-0197-999</b>	APPLICATION NO <b>To be assigned</b>
	APPLICANT <b>Aronson and Hosking</b>	
	FILING DATE <b>Herewith</b>	GROUP <b>To be assigned</b>

### U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	H1,881	10/03/2000	Davis et al.	370	458	02/19//1998
	4,545,078	10/1985	Wiedeburg	455	600	10/1982
	4,734,914	03/1988	Yoshikawa	372	33	03/1986
	5,019,769	05/1991	Levinson	372	31	09/1990
	5,057,932	10/1991	Lang	358	335	05/1989
	5,334,826	08/1994	Sato et al.	235	455	05/1992
	5,383,208	01/1995	Queniat et al.	372	29	07/1993
	5,392,273	02/1995	Masaki et al.	369	106	02/1993
	5,448,629	09/1995	Bosch et al.	359	187	10/1993
	5,510,924	04/1996	Terui et al.	359	143	04/1995
	5,515,361	05/1996	Li et al.	370	15	02/1995
	5,673,282	09/1997	Wurst	372	38	07/1995
	5,812,572	09/1998	King et al.	372	38	07/1996
	5,926,303	07/1999	Giebel et al.	359	163	07/1997
	5,943,152	08/1999	Mizrahi et al.	359	187	05/1997
	5,953,690	09/1999	Lemon et al.	702	191	07/1996
	6,010,538	01/2000	Sun et al.	756	345	01/1996
	6,014,241	01/2000	Winter et al.	359	245	06/1998
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	6,021,947	02/2000	Swartz	235	472.01	12/1998
	6,023,147	02/2000	Cargin, Jr. et al.	320	114	08/1996
	6,049,413	04/2000	Taylor et al.	359	337	05/1998
	6,064,501	05/2000	Roberts et al.	359	110	01/1997
	6,115,113	09/2000	Flockencier	356	5.01	12/1998
	6,175,434 B1	01/2001	Feng	359	152	12/1997

### FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
					YES	NO
JP 402102589 A	04/1990	Japan			X	
JP 404023373 A	01/1992	Japan			X	
WO 93/21706	10/1993	PCT				
PCT/US02/03226	05/09/2002	International Search Report				

**OTHER REFERENCES** *(Including Author, Title, Date, Pertinent Pages, Etc.)*


**EXAMINER****DATE CONSIDERED**

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.